

App E IX 4

1910

Previous References

~~192~~
(*me*)

File No.

Serial Nos 1, 1
17, 18, 19,
22, 26, 27,

Later References

Presenty

General and Revenue Secretariat.

Serial Nos

Part B for July 26

SUBJECT

Amendment of the Mysore municipal Regulation

Papers ordered to be recorded

ls
28/8/28

N.C. 307
20th Dec 1910

G.R.S. 11]

1910.

GENERAL AND REVENUE SECRETARIAT

(Muzumyap)

NOTES.

File No. 237/10-

FILE HEADING

Amendment of the Mysore Muzum Regulation

From
Mr. M. Venkatasubrahmanyam, Mysore

No

Dated 24.12.1910 Received 25.12.1910

Diary No. 4206

Enclos.

Spare Copies

Serial No 1

BRIEF ABSTRACT OF LETTER.

Suggests that the Muzum Regulation may be amended by inserting provision therein for compelling owners of vacant sites to build on or forfeit them to the Municipality after a reasonable time

NOTES AND ORDERS

Draft
Bo TV

Briefly acknowledge receipt
(Sd) C.S.B.

25.12.1910

2 Draft of a letter is subd

M. 80 mg

P J C

First sheet

3.1.1911

h 246
ml File No. 237 of 1910

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3. Submitted with draft
acknowledging the receipt of
the letter

18 Cr) 4 1-11 Mm,

4 Please work this up. The same
state of things prevails in
Bangalore city. What is the
remedy provided in British
India

H. H.
G. M. H.

1884
7111

5 Why not buy up the sites under
the Land Acquisition Regn.
& allow them to intending
builders under stringent
conditions?

M

21/11

6 The Office has not been able
to find out any provision bearing
on the subject in the British
Indian Municipal Acts. The course
suggested in para 5 *supra* seems
to be the practicable one

7 Attention is invited to By-law
No 2 published with the late *supra*

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y-

Chief Commissioners, Note
No 229 of 14 9 1871. about
or Waste Sites within the limits
the Bangalore City Municipality
of 1880
to 2-1911 8 It is only where a
land is needed for a public
purpose that it can be
under the provisions of the
Land Acquisition
It can hardly be that a
land is required for a
purpose where it is sought
be acquired merely by
of the failure of the owner
thereof to build on it within
a fixed time - The provisions
of the Land Acquisition
Regulations do not therefore
seem to be applicable to such
cases - The proper way to pro-
vide for them would be by
amending the Municipal
Regulation so as to empower
Municipal Councils to
rules with the sanction of
Govt in the disposal and

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resumption and acquisition
of vacant sites and also to
authorise them to acquire such
sites.

Secy) 13.2.11 Will

9 I think some provision as
suggested is very necessary &
desirable.

10 Please note whether the
notn of 1871 referred to has
been specifically repealed by
later munl legislation or whether
it has still the force of law.

11 Also peruse a draft of a
section giving the munl power
to declare that a certain vacant
land in munl limits is ~~not~~ fit
for use as a building site, & to
call upon the owner of such
site to build upon it according
to an approved plan ~~within~~ & if
the owner does not build upon it
within a period of 2 years (say)
from the date of notice or enclose
& conserve it within a period of
6 months, to declare the site ~~forfeited~~
to the munl without any right of
compensation etc.

to enclose &
conserve it

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12. The Notification of 1871 does not appear to have been specifically cancelled. But it does not appear to have the force of law under the present Municipal Regulation. The Corporation Municipal of Bangalore have expunged the Notification of 1871 in question from their bye-laws.

13. Draft of a bill to amend the Regulation as per instructions contained in para 4 supra is submitted.

A. K. S. S. S.

19. 4. 1911

14. The power given to the Municipal Council to under the draft put up, to forfeit the site with any building which may exist thereon, free from any claim to compensation by the owner, is a very extensive one and capable of abuse. It seems to require careful consideration whether ~~exercise~~ such a power may be entrusted to Municipal Councils and if it may be, whether ~~it~~

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instead of conferring it ge-
nerally on all Municipal
Councils as in the draft put up
Govt may not choose to itself
the power to confer it on any
Municipal Council -

Secy) 20.5.11

2000

Kt

20/5/11

15. A revised draft bill is
submitted as directed by the
Act Secretary

11/12/10

15. 12.1911 15. A revised draft
is put up as directed. Sec. 15 of
the M.L. Regulations provides
generally for punishment for
disobedience to notices issued

Secy) 20.6.11

2000

17 Please send to B. R. T. for putting the
provisions of the revised draft into
proper shape -

18. Forwarded to B. R. T. 17/11/11

17.7.11

2000

P. J. O.

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Subd.
SWC
18/7/11

(1) The draft seems to be all right.
(2) It may however be considered whether U(K) should not come under Sec 48 of the Regs. Sec 46 seems to relate to matters concerned more or less with the internal office management of the Municipality. If the view is adopted clause (K) may be made clause 1 of Sec 48.

(3) A draft in the proper form (with a few other verbal changes) is put up.

31/7/11

To Br IV

21. Submitted

22. The fair draft ~~was prepared~~
1-8-11 & referred to in para (3) above
is based on the original draft
and not on the revised draft of
the Branch. Attention is invited
to the Secretary's note dated 17th
July requiring ^{the provisions of} the revised draft
to be put into proper shape -

Br III

3 8 11

2111

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28 Subd

24. A fair draft based on
the revised draft is put up with
a few changes explained below.

(1) It may not always be
possible for a Municipal
Council to readily ascertain
the true real owner of a
vacant site in respect of
which it may be desirable to
take action. To provide for
such an eventuality it is
proposed to cast the duty
imposed by the Section on the
person in possession of the site
if the owner could not be
ascertained by the Municipality.

(2) If as a presumption of
the vacant site is contemplated
in case of failure to comply
with the directions issued, it
becomes necessary that the
Municipality should acquire
a legally valid title to the site
free from all encumbrances
created by the owner or any person.

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claiming under him. I have
therefore ventured to add words to
this effect

If it is considered hard that
bonafide ~~altruistic~~ Encumbrances shd
be made to suffer owing to the default
of the owner, then suitable provision
will have to be made for some sort
of notice to issue to such ~~Encumbrances~~
Encumbrances before the site is
actually resumed and in order
that the Municipality may know of
such Encumbrances, it will perhaps
be necessary to provide for ^{some sort of} special
register in a book ^{to be kept} in the Municipal
Office

A public
notice in
the Gazette
in English & Kanarese
may be
presented
OK

Please see
changes suggested
in the draft-bill
OK

(3) It is not known how the market
value of the site is to be fixed in
cases of resumption or who is
to adjudicate in case the owner refuses
to accept the valuation made by
the Municipal Executive. The
provisions of the L. A. Regⁿ will
not apply unless they are made
specially applicable in the
absence of any spec.

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the ordinary jurisdiction of the Court
County will not be ousted

(4) It is a matter for consideration
whether a penalty (say a fine of
Rs 50/-) will not do to compel
the owners to obey the directions of
the Municipal Council. If not, the
offence may be treated as a continuing
one. The procedure regarding resumption
will necessarily be cumbersome

To B. B. T.

15/8/10 SA

25 Submitted

AM 26 Secy 17.8.11 Jue

16.8.11 (5)

27. I have made a few changes
in the draft which will meet
the objections ^{difficulties} urged in the notes
above. Please put them into
proper shape & prepare a revised
draft. If such draft is approved
the 2nd, & if maybe sent to

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the Presidents of municipalities for
Opinion before being placed before the
Legis. C.

WAK
10/5/12
to Mr. G. M.
K. S.

CSB
10/5/12
True
10-5-12

WAK
11 5 1912

28 Subd
SAC (11)
12/5

WAK
11/19/12

29 Put up a neat copy of the Bill
as now revised

WAK
20/6/12

30 dyed copy sent
SAC (11)
12/6/12

31 Subd to 2nd C, as ordered
by the Secretary
SA

12/6/12

32 may be sent to the President
for opinion. SA

33 2 copies sent
to Mr. G. M. by Mr. W. M.
person
9/6/12
23

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34. Please note ~~if~~ in the mu-
nicipal Acts in force in
British India, there is any
provision empowering a
municipal Council to require
a vacant site to be built
upon and to resume it if
it is not built upon as re-
quired -

22 6 12

MLL

35 The information is not available
in any of the British Indian Acts. Please
see para 6 supra

HK80

22 6 1912

Et
1712

Acts were referred to
HK80
22 6 1912

36 (1) It is proposed in the above
notes to amend the Municipal
Regulation so as to give power to
municipal Councils to call upon
the owners of vacant sites to erect
buildings thereon or to Enclose & plant
them within a period of six months
failing which the party concerned is
to be made liable to a fine of 50 Rs
or imprisonment before a Magistrate

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and the like to be resumed
(12) It is understood that there
is no such provision in the Municipal
Act no force in any ~~part~~ part
of British India

(13) When vacant sites are given
out for occupation in future a condition
may be easily attached to the grant to
the effect that they should be built
on or enclosed within a prescribed
period. But in the case of sites
which have been already disposed of
to persons or in the occupation of
private individuals whether a stipulation
can be made on the lines proposed
so as to render the sites liable
to resumption when built on within
a ~~7~~ definite period is a point
which requires careful consideration
I am inclined ^{to think} that such stipulations
will seriously interfere with vested
interests and that it will meet
with the greatest amount of opposition
from the public

(14) At present though the Local
Boards have no power to compel
owners of houses to build on the sites

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of the Municipal

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~~The State within the prescribed period~~
~~ample provision is made in the~~
~~the Municipalities for the prevention of~~
~~belonging to private individuals being~~
~~kept in a filthy & unsanitary state so~~
~~as to be a nuisance to the public~~
~~to persons residing in the neighbourhood~~
~~of these premises any also belonging~~
~~to a private individual is in the~~
~~opinion of the Council required for~~
~~the interests of the public for the construc-~~
~~tion of houses. Then the Municipal~~
~~may acquire the sites under the Land~~
~~Acquisition Act & then dispose of the~~
~~for building purposes in such manner~~
~~as it considers proper~~

(5) These remedies which are now
available appear to me to be
quite ample & sufficient and
an amendment of the Municipal Act
as it has proposed is unnecessary
and undesirable

37 Before the opinion of the Pres
of Municipalities are cited for on
the subject as ~~submitted~~ checked
in the Council & ~~consequently~~

4 10
Inl File No. 237 of 191/10Serial
No

Submitted to above views & desire for
consideration & further action
38- The subject is a very im-
portant one. I would also ~~be~~ very per-
suaded if for Mr. Dewan's ~~own~~
information & order before the opinion
of the President of the Corporation is
called for on this matter.

2nd Conclusion

22/5

29/7/12

Sd/-
29/7/12

38 I entirely agree with the
views expressed by the Secy.

30/7/12

2606

1-8-12

39. Dewan

22/5/12

Sd/-
31/7/12

40. I believe there
is another (or perhaps there are
even two) file on same subject
which had better be linked
up here with -

G R S 12]

General and Revenue
Secretariat

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42 The nuisance checked
is clear - In these days when
Govt and Municipal have
to incur large expenditure on
drainage & water works (Even
Police expenditure may be
reckoned) it is essential that
houses should use up plots of
land intended & assigned for
house building - Where plots
were granted for house building
there can be no injustice in
taking them back if not required
for that purpose, the owner being
reimbursed with the price paid
by him - Why this should
be objected to is past my
comprehension - Lawyers
say that this cannot be
done without special legislation
of the kind proposed - If that
be the case let us legislate -
43 I would write the opinion
of Mr. President if that be
necessary, Mr. G. I would
prefer to approach the
Leg. Council straight off

NOTE Contn sheet

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B 10

Please ~~place~~ put up the
connected files referred to by
the Dewan

23
20/11/10

45. The files referred to by the
Dewan are, ^{pages} the following which are
herewith submitted

(i) Ml 7 525-05 B Rev 1906 8/1-8

(ii) Ml 7 205-10 B Rev 1912 8/1-2

4/11/10

7.11.1910

46 Sec 4)

11/12

47 The question raised in this
case is somewhat different
from those dealt with in the
above two files.

48. In the present case, the
Dewan has ~~stated~~ ^{stated} that he
does not see why legislation on the
lines proposed by Mr. Venkataswamy
Nayudu should be referred to him
as he would prefer to approach
the Legislative Council directly.

18/5

C7 R. S. 12]

General and Revenue
Secretariat.

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49 Branch 111 has already put
up the draft of a bill on the
subject. This may be taken
up for consideration ~~in the next~~

2nd Committee

23
25/7/11
25/11/12

50 Before placing the bill
before the Council, the
change proposed in the
draft ^{notes} may be sent
to the Privy for opinion

27/11/12

25/7/11

51 Please put up draft and

25/11/12

25/11/12

52. Draft of a letter is ~~sent~~

29/11/12

29. 11 1912

(See 7)

1 approval

25/11/12

+ side para 27

NOTE—Contn sheet.

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2nd Comnalter

22
14/12/12
10/12/12

52

Draft app? by 2nd Comn

P.O.

16/12/12

18
19/12

55

Issue

19/12/12

✓

Re 56 Letter no. 4521-30 dated the 26th December 1912 to the Dy. Commissioners of Datto: And the Presidents of the two City Mumb: Councils

Forwards copies of the bill together with the statement of objects and reasons for opinion as to whether an amendment of the Mumb: law on the proposed lines is called for and desirable

Re 57 Letter no. 256 of 28.12 1912 from the Dy. Comr, Kator DC,

States that the proposed amendment is very necessary.

17 58 Letter no. 277 dated the 3rd Jan 1913 from the Dy. Comr, Chitaldrug DC States that he is strongly in

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of the proposed amendment suggests that the period of prescribed under Sec 91 A 41 may advantage be reduced to one year

18 59 Letter no 352 dated the 7th Jan^y 1913 from the Dy. Comm^r, Mysore Dist

States that the power contemplated to be conferred upon Muni. Councils and the consequent amendment of the Muni. Regs on the proposed lines are necessary

19 60 Letter no 520 dated the 9th Jan^y 1913 from the Dy. Comm^r, Kolar Dist.

States that the proposed amendment is very desirable and suggests that a similar rule may be added to the Kolar Gold Fields San. Bd. Rules also

20 61 Letter no 99 dated the 14th Jan^y 1913 from the President, Mysore City Muni. Council

States that the proposed amendment is absolutely necessary in the interests of the better sanitation of City.

21 62 Letter no 299 dated the 10th Jan^y 1913

States that the bill is

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Necessary piece of legislation in
interests of the better sanitation of
the towns

22 63 Letter no 260 dated the 16th
1913 from the Dy Commr, Hassan District
Submits, in reply, copies of the
resolutions of the Hassan and Hole
Narsipur Mumb. Councils in the
matter and states that he concurs in
the opinion of the former.

26 64 Letter no. 345 dated the 8th
Feb. 1913 from the Dy Commr, Bangalore
District

States that the proposed addition
to Sec 40 is necessary and that the
new section above Section 92 about the
exemption of the vacant sites of not
built upon within a limited time to
works hardship is not justifiable

27 65 Letter no. 197 dt 28th Feb 1913
from the Presd, Bangalore City Mumb.
Council

States that the Mumb. Council
are agreeable to the proposed amendment
with an alt. addition to Section 91 A 4, 12;
that it should be made compulsory that
building should be commenced " "

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28 66 six months time from the date of
 notice and completed in two years.
 Letter no 129 dated the 9th
 April 1913 from the Dy. Commr, Shimoga
 Dist.

States, in reply, that the
 members concerned are of opinion
 the bill may be passed

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67

1. These papers relate to ~~the~~ certain proposed amendment to the Municipal Regulation with a view to meet the existing evil of insanitary vacant sites in the municipalities of the State. The main reason for the amendment is that many have bought (and are buying) sites, not with a view to build thereon, but for speculative purposes, thus depriving bona fide would-be builders of sites, besides contributing to make the municipalities insanitary and untidy.

2. The opinions of the presidents of the City Municipal Councils, Bangalore & Mysore and one of the Dep Councils of D.S. were called for on a draft Bill to amend the Municipal Regulation, designed to meet the evil. The balance of opinion is strongly in favour of the proposed legislation.

3. The Dep Cmr. Chitalding, thinks that giving two years' time for people to build on their sites is to allow too a period and suggests that the period be reduced to one year.

4. The Dep Cmr. Hassan, accepts the amendments subject to two provisos

Note—Contn sheet.

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made the essential

vide, however, para 3,
infra. All these remarks
only in case the penal
is returned

and is that the sanction of the Municipal Council to the prosecution of a defaulters
this is provided for by the Regn itself
(vide para 161 (1), and Regn by which the
Municipal Council "may direct any prosecution
etc) In order to make the wording
the Section may be altered, if necessary
in some such manner as - No process
proceedings shall be taken against
any person for offence under the Regulation
without the previous written sanction of
the Municipal Council etc" [I suggest this
alteration in view of the fact that the
said Section has been differently con-
strued by different Judges, sometimes
meaning that it only confers a power
on the Municipal Council as a body and does not
take away the right of the President or the V.P.
or any other person to prosecute under the
general provisions of the Cr. P. Code, and
at other times as limiting the power
of prosecution to the Council] ^(a)

The second proviso is that the terms
of Sub-section (4) regarding the resumption
of sites (with buildings existing thereon
in the case of non-fulfilment of conditions
of grant, are too stringent and

NOTE—Contn sheet

G R S 12]

General and Revenue
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therefore be made applicable to infringe-
ments of sanitary requirements only
Sub Sn
Rule 3 enunciate a similar penalty in
cases of non building and it is not easy to
why Sub Sn (4) should be regarded as harsh
when (3) is not. In any case, (4) gives
only a discretionary power to the mil
council, [It shall be competent for the
to resume etc"] the provision may therefore
be allowed to stand, as it will be for the
mil council to see whether the infringe-
ment of the condition is serious enough
to ~~resum~~ call for resumption of the site.
It is quite conceivable that 'conditions'
even other than 'sanitary' may some-
times be of great importance and it is best
to reserve the power for the council.

6 The D C also suggests that the
provisions regarding enclosing and
conserving of sites should be made applic-
able also to sites not fit for building
purposes. This seems to be a good sugges-
tion and Sub Sn (1) of 91 (A) may be al-
tered accordingly.

7 The Dy Commr Bangalore is again
the proposed amendment on the ground
it will enable capitalists to purchase.

NOTE—Contn sheet

R. S. 12]

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the sites from the poor persons who are the present owners and who would perhaps have built houses if but for the time-humiliation, less severely as ^{they} ~~is~~ means hermitted the municipalities to levy, besides, a tax on vacant sites and charge, ~~besides~~, the power of requiring the owner to cleanse, clean or otherwise put the site in a proper state. This is ^{no doubt} a real difficulty hardship, but it has also to be recognised, her contra, that not all owners that do not build are poor, but some are rich and can afford to build, but do not,

and purchase sites

for mere speculative reasons. It may also be urged that two years is a sufficiently long period to meet the reasonable requirements of such poor persons and it may be a nice question whether for the sake of possible (or even probable) individual hardships, the municipality can overlook the public interest and countenance

the continued existence of

industrial sites ~~for years to years~~ there is also the practical difficulty of getting at the owner (or his representatives) of the vacant site and enforcing the cleanliness of the site or of recovering the cost ^{of doing so} from him.

NOTE—Continued.

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There is again reason to
retard difficulty of getting
the owner who might live
within the rule limits even
ascertainment of the name
address of the owner (or his repre-
sents) is sometimes a very
serious task. Hence the law
assumes an available title
a much better remedy than
how to prosecute a
inaccessible owner the provision
into prosecution may cause be
safely omitted D.S.

8. The D.C.'s second objection is to the sub-
jecting a person to criminal prosecu-
tion for mere omission to build in a pre-
scribed time (Sub h 2) This ^{provision} can be
omitted, as it would seem to be super-
fluous, after reserving to the munici-
pality such a large power as the sum-
mary resumption of the site free from
all encumbrances created by the owner

D. Srinivasan
Asst Comm
21-4-13

Dep Secy

68 In para 43 the Lab. Bureau prepared to approach
the Legislative Council thought off but agreed to the
Municipal Presidents being consulted on the draft of
amendment, if necessary. The Lab. & Council
thought it necessary to do so (Para 50). The information
was called for (Para 54) and it is in the file showing
that the majority of the officers consulted approve of
the measure. It now remains to refer the bill to the
Legislative Council as per orders already recorded

574

2nd Comm - &
Bureau

Then agreed
24/4/13

23
25/7/14

70 Before submitting the file to the Bureau,

NOTE--Contn chrs.

R S 12]

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It seems desirable to obtain the
opinion of the first-councillor upon
the proposed Bill, which is drafted
in accordance with my approval - there can
be no two opinions as to the necessity for its amendment
in the Bill
26/4/13

W
27/4

Done 28/4

71
1st Cr)

W
28/4/13

72 I think the following points
should be made clear in the
draft.

(i) Cl. 2. Is the notice to be in
the alternative 'to erect in 24 months'
or to 'conserve in 6 months' in
every case, or is it to be
one of the two cases to the
first Cl's discretion?

If the alternative notice
is given, what is the exact
effect? If he conserves in
6 months, he need not
begin to build at all.

(ii) What is the exact
meaning of "conserve"? The

NOTE—Contn. sheet.

R S 12]

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dictionary meaning is hardly
precise enough?

73 I think the Municipality should first make up its mind whether to insist on building or merely on 'conserving' & come to a decision. The further progress should be separately provided for each case.

74 I do not think that the Municipal Council should acquire or reacquire any sites unless there is demand for them for building upon. There is nothing gained by transferring vacant sites from one owner to another. Even speculation for profit is not a sin, if the speculator pays a fair price for what he acquires.

75. I have redrafted the

NOTE—Contn. sheet.

R S. 12]

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provisions. The matter
may if necessary be
discussed at a meeting

1/5/13

[Signature]

2864
5-5-13

76 Dewan

LB
2/5 - 2/5

77

I agree - Please show to the
2nd Com. after also at being up at a meeting of Com. ad

13 5 13 R6

78 2nd Com. ad

LB
15/5 - 2/5
2/5 - 14/5

79

The draft has been corrected at
a meeting of Com. Council.

18/5/13

80

Note for meeting 2/5

General and Revenue
Secretariat

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81 The subject was brought up before a meeting of Council held on 20th July 1913 and adjourned for want of time.

h

82 Brought up again at a meeting of Council on the 9th August 1913, but was not taken up for want of time.

23

83 Rescinded ~~as in Council meeting on 20th~~
as decided at the Council meeting on the 20th inst.

23
21/8/13

2nd Councilor

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31

From the Dy Commr, Mysore Dist.

No 640 & 25-2-1915

Forward letter no 141 of the 18th February 1915 from the President of the Mysore City M.C. stating that the M.C. are agreeable to the draft bill in the matter of amending the Mysore M.C. Regn Compelling owners of sites to build on them or enclose them

206255
Vol 237-10.

84 The file on the subject was submitted to the Secy on 5-5-1913.

JKS 85. In the Council Secy for stating if the file is still pending there or was not
5-6-1915 the Secy's office

1328
6/4

8/4

86 The file on the subject is with the Asst Secy for III

JKS 87 In favour of linking the 24-4-1915 with the other file which is thus 3 files for -

1374
Produced
for III

1374

88. The file was submitted to the Secy today

8/4

89 1374
1374
1374
1374

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

89x The assumption ^{in the Regulation itself} lands should
be expressly stated to vest the
land in the Municipality
free from encumbrance,

Secretary
Draft 90

the next clause leaves
discretion in the M. Council
to ^{repurchase} ~~sell~~ or not, but provision is
made in either case for payment
of compensation to the owner.
Point the condition about the
amount to be paid seems unfair
if there is not likely to be a demand
for the site. These special provisions
should not be exercised at all, and
the other general provisions of the
Regulation may be enforced.
Whenever a land is resumed,
it must be sold, and the
owner given the benefit of any
increase in the price he may get.

N.B.—Should routine notes be written on small slips,
the index must be copied, or slips pasted on
this form.

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record]

Final member
Draft
91

§ 91. Seems necessary to omit the words 'whether or not appurtenant to buildings' in 91 (b) if properly interpreted, it will very much curtail the right of an owner of a house to have an extensive compound, or even to have a large bungalow. Apparently the object of the amendment is not this, it may be modified thus, "if not appurtenant to buildings"

92) and in the ^{proposed} new Section 91 A.1 even vacant sites which were purchased under the Ordinance will be affected. Practically the ^{result} effect will be to give retrospective effect to the legislation. No question for consideration whether a thing can have been made out for the.

NB—Should routine notes be written on small li,
the notes must be copied or slips pasted
this form

5 The proposed legislation says
also to be effective as to the

G R S 13]

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record]

f
Ltr

Sec 152 Cl 1b & note Sec 156 in
that is applicable to the case
under refer.

None
7/8/15

93

x As regards S 156(1), it
appears doubtful whether
the liability for imposed under
S 129, S 131 for neglect of duties
or for omission to do a thing
can be held to be a liability
to "execute a work" under S 156

Es
29/1

~~Sec 156~~

94

x Vacant Site may perhaps
be defined to include sites
on which a building is only
partially raised, and ~~not~~ no
substantial progress is made from
main area. In it seems ea
to evade these rules about re
building only a portion of the
building, such as for site
and walls (the length of 4 ft
first 16

NB—Should routine notes be written on small slip
the notes must be copied or slips pasted on
this form

95

M. Sengraha of 11/11/15
study these things no for 4
requiring notes

3/1/15

See J

Compelling owners of
vacant ~~land~~ sites in the Ind.
area to build on or forfeit them
36

GRS 18]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

96 This file was subd
to the 2^d Member on
21 8 1913.

From there, it appears
to have gone to the Dy
Secretary, under whose orders
a revised Draft Bill was
put up

Thereafter it appears to
have been referred to Asst
Secretary Br III for the scrutiny
of the Draft Bill His note
is in the file

In the meantime another
reminder has been recd
from the Mysore City Muni-
cipal President for early
orders

The file has perhaps to
be re-submitted to the
Second Member for orders

NB—Should routine notes be written on small slips,
the notes must be copied or slips pasted on
this form

GRS-22,000-22-150

14/9/15 There are 4 bills in the file A
drafts of bills are drawn up and submitted to the second
member, if no law is agreed. After noted,
the file may be noted and brought up at a
meeting (law sec)

Dr. S. S. S. S.
H. S. S.

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record]

on income up
may be sent to my
and remember that the
this is under the Comptroller
of Govt

At Vile
161

Bⁿ ID

98 The action
by the Govt
may be taken &
the Comparative
Statement
prepared & sent
to me as sub
as per the

101

16/9/15

16/9

100 The Comparative State-
ments Subd herewith

AMC 49
16/9/15

101 I have already a few
points about the Bill in the
action for taken, according
Subd for rules

8/1

N.B.—Should routine notes be written on small slips
the notes must be copied, or slips pasted on
this form

102 The draft appn
by the Govt is to be
considered sufficient to
be prepared 8/15

Routine Notes

[To be used only for notes, ~~requests~~ etc, not intended for permanent record]

5/3

Rev Secy

103 The Division has already
 finished this to be
 circulated & brought up
 at a meeting (note has
 over 5/3/5/13)
 As the Comparative
 Statement is ready,
 this may be circulated in
 the Council Secy?

Genl Secy

10/1

19/3/46

5/3/5/13

NB—Should routine notes be written on small slips
 the notes must be copied or slips pasted on
 this form

to Ml 237 10-31

A Bill to further amend the Mysore
Municipal Regulation -

1906.

- 0000000 -

Preamble.

Whereas it is expedient to
further amend the Mysore Municipal -
Regulation VII of 1906, His Highness
the Maharaja is pleased to enact as -
follows -

Addition of a Sub-
section to Sec. 48

1. The following shall be added
after sub-section (p) of Section 48 of
the said Regulation as sub-section (pp)
Vis -

For the disposal of
the building sites

"(pp). Laying down the -
conditions subject to which vacant -
building sites may be disposed of"

Addition of a new
section

2 The following section
shall be inserted above section 92 and
under the heading "(2) Powers to -
regulate buildings etc" as section 91
A, namely -

Power to declare any
vacant land as fit for
use as a building site and
to compel the owner to build
upon or enclose it

"91 A (1) It shall be -
competent for the Municipal Council -
to declare that any vacant land within
Municipal limit is fit for use as a -
building site and to call upon the owner
or if the owner cannot be ascertained
found, the person in possession of the
site or where any doubt or uncertainty

uncertainty exists as to the ownership or possession, by notice published in the Official Gazette, to call upon all persons interested in such site, to erect and complete a building upon it within a period fixed by the Municipal Council, not exceeding two years. Provided however that in cases in which the Municipal Council may deem fit and proper, the Municipal Council may issue a notice as aforesaid requiring the site to be enclosed and conserved within a period of 3 months or such further period as may be allowed by the Municipal Council.

Procedure after default.

(2) When the notice issued under sub-section (1) requiring the erection of a building is not complied with, or when the notice issued under sub-section (1) requiring the site to be enclosed and conserved, is not complied with, it shall be competent to the Municipal Council, after the expiry of the period of time fixed in the notice, to enter upon and take possession of the site free from all encumbrances created by the owner or any person claiming through him and to dispose of the same for building purposes either by public auction or otherwise. The owner or any person claiming through him shall be entitled to the payment of the price realized by the Municipal Council by the sale or disposal of the

the site less any charges incurred by the Municipal Council in taking possession and disposing of the site.

Resumption of vacant building sites and the disposal of the same by the Municipality.

(3) When the conditions subject to which a vacant building site is sold are not fulfilled, it shall be competent for the Municipal Council to resume it with any building existing thereon after giving the owner of the site or, if the owner cannot be ascertained or found, the person in possession, such notice as to the Municipal Council may seem proper and to dispose of the same by public auction or other-wise for building purposes after giving notice of their intention to do so by a proclamation published in the official gazette not less than one month prior to the date fixed for the sale. On such resumption, the site, with the building, if any, thereon shall vest in the Municipal Council free from all encumbrances created by the owner or any person claiming through him subject however to the proviso that such owner or any person claiming through him shall be entitled to payment from the Municipality of the amount realized by the Municipality by the resumption and disposal of the property less any charges incurred in such resumption and disposal.

(4) The powers conferred by this

this section shall be exercised only by such Municipal Councils as may be specially authorized by the Government in this behalf.

(5) Before a sale can be held under this section, every Municipal Council shall make rules to regulate the procedure to be adopted in such sales. The previous sanction of Government shall be obtained for such rules

Idurkshunavala

President
secy

No C 276
23 3 1916 37

Council Matter

Clause i of the Schedule

CIRCULATED TO THE MEMBERS OF COUNCIL

D. M. Narasimha Rao

22nd March 1916

Secretary to Government

Extraordinary Member of Council

First Member of Council

Second Member of Council

WD 9012 (UB 1000) 216

WD 2012 (113 1000) 216

Deen

1991
244

note, value

1/4

1/4

1/4

1/4

First Member's notes on the amendment of the Municipal Regulation, in the matter of compelling owners of vacant sites to build on them or enclose and conserve them. (Municipal 237 - 10.).

.....

Wk (1) The objects and reasons do not in my opinion sufficiently justify this amendment.

(2) In Bangalore and Mysore it appears there were several vacant building sites in an insanitary condition. Let us examine the existing powers to deal with such cases.

3 Under Land Revenue Rules, 47(b) and 48, control is exercised by Government and also resumption in certain cases. Mysore City Improvement Board Regulation III of 1903 also gives right of control to the Board.

4 Are these powers not sufficient? No Municipal law of ^{any} ~~any~~ ^{any} ~~any~~ countries gives such powers as are intended by the amendment. It interferes with private rights to ~~any~~ an alarming extent and will cause grave hardships.

5 Vacant sites in private enjoyment in municipal towns are under the sanitary control of the Municipality. - notice can be given, vide sections 131(1) and 132.

6 Is the object sanitation or providing ^{buildings} ~~sanitary~~ and houses? If the latter, compare scheme for model dwellings. If former, present law sufficient. Besides, alternative — ~~to~~ enclosing or conserving — defeats the object of the bill. Government cannot compel people to use their property to the detriment of their private rights and interests. If an owner leaves vacant a site fit for building, Municipal Council can acquire under Town Extension Scheme.

7 Municipal Council can have no ^{general} ~~general~~ control over matters economic or commercial within town limits except so far as

they affect the health and well-being of the people as a whole. By control I mean control over existing rights. "Management of Municipal affairs" does not admit of such interference, - providing isolated buildings is not one of the duties of municipalities but sites for extensions. The amendment will turn out all poor people from towns.

8 The amendment gives municipal councils arbitrary powers. Further, in view of the Local Self-Government Scheme, which when passed will bring about material modification of existing laws and regulations for Municipal and Local Board Institutions, it is better to drop this separate piece of legislation for the present. When the Municipal Regulation comes in for a general revision, the question may again be considered.

1. Conserve and enclose. - Provided in existing Regulation.

2. To take possession. - This is arbitrary.

Acquiring is the only course leaving disputes as to price being dealt with by ordinary courts.

The procedure laid down makes Municipal Council final authority.

Municipal Council may sell at a disadvantage and market price may not be fetched. Changing hands does not materially alter the case.

Fresh proceedings may have to be taken against new owner who may have bought it cheap

as a speculation being unable to buy in negotiation with previous owner, *unwilling to part for less price*

All unsuccessful purchasers may thus bring down sale price by compulsion.

Value of property will decrease.

What is and what is not a ^{vacant} building ~~vacant~~ site is not defined.

The power to classify given absolute-ly to municipal authorities. Are lands attached to existing houses vacant building to be sites? Is a man ^{to be} compelled to part with such sites because he wants a compound larger than what the Municipal Council will allow him?

9. Private speculation, rivalry, competition - now under the control of economic causes - of supply and demand - will resort to municipal law for gaining their own ^{selfish} objects?

62

(F)

43

Subject.- Clause 1 of the Schedule

Amendments to the Lysore Municipal Regulation in the matter of compelling owners of vacant sites to build on them or enclose and conserve them.

OPINION OF THE COUNCIL.

105- These proposals may be dealt with along with those relating to the Local Self

Govt. Scheme

3/5
—

47
15-

Biv

101

4/5/16 18516
4913

106- May this be submitted to the Dewan with whom the recommendation of the Local Self Govt Committee are pending or not?

AK 48

16.5.1915

107 answered with regards - memo to the Dewan concerning with the Dewan

6128
18516

42
18/5/16

109- Sent for forwarding

101 19/5/16 18516

108- The papers, so far as I know, are not now pending with the Dewan. They are, I understand, before the Council. This case may also perhaps be sent to the C. Section
19/5/15

Serial
No

M
T

Res orders with
reference ^{Sub} para 8 of the Second
Members note of 24.4.1916 in
HK 40 III This matter has not found
4 1 1917 a place in the Schema
sanctioned by Govt

Res.
7/1

112 - Ltr for orders as to
the action to be taken with
reference to the proposed amendments
to the ~~Forst~~ Observations thereon
in paras - 104 of the note

Flag T.

39
16-1-17

Learned Member

113
12/1-17

113 Found the file with the
for consideration

481

114 To Spl. Officer, with Compliments -

115
18/1-17

LSC, Mar 5

revised
from
10/1

Recd 115 To and for the
18/1/17

116
18/1-17

116. Recd & Subd
HK
20 1. 1917

from
18/1

G. R. S. 12]

General and Revenue
Secretariat.

287ms 5 45
Inl File No. 237 of 1910.

Serial
No

117 Results for don orders
JMK
26.2.1917

pages 19, 24, 27

57, 67, 68

*Office
draft Bill*

sent

*To Mr.
27/1*

-94 } opening to Mr. M

*-100 } Cases before Council
of the directors*

*To Mr.
27/1*

NOTE—Contn. sheet.

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

J His 11/12-17

Subd. There are four drafts in the file

A. Bill drafted in the seal and circulated for opinion among D.C.'s and Presidents

B. Bill as drafted by the then the Councilor Mr. H.V. Hingston

C. Draft proposed by Mr. J. H. Harrison

D. Draft proposed by the Mysore City Council

These were ordered to be circulated among the Council.

The present seems Member has noted against the necessity for the Bill amendment vide H.T.

Subd for orders as to which of the bills may be adopted for the consolidated bill.

CB
5/4/18

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

ROUTINE NOTES

[To be used only for notes requisitions etc not intended for permanent record]

now that the Council

has been having been

meeting the day 'Council in
all stages, the question of taking
up the other amendments to
the Municipal Regulations has
been considered in the presence
of the question of providing
for building on vacant sites
in Municipal areas is raised
and attention is respectfully
invited to the Second Member

by note of 24 4 1916 it is
a point for order whether
legislation on this point has been
taken up in hand and if so, on
what basis

Submission for order

8/4

Second Member

* I - Should routine notes be written on small slips
the notes must be copied or slips pasted on this form

A balance of - 4 me
I am for or what
I shall check

Therapy all
the me

Required those

1) supply to the

(2) by the C

They may all
be passed if the
bill thus

A Committee may be
appointed to
all the proposals

Consolidation of

2 of 7 of the C
with the P. C. C.

2 of 7 Coms

3 non officials

Vermed in the ad

4
7.4

ROUTINE NOTES

[To be used only for notes requisitions etc not intended for permanent record]

In the original Bill missing
provision was made for
the purpose and subsequently
the Bill was withdrawn
In the revised Bill the
question of making a
provision was dropped
The papers may be returned
now as no further action
is necessary

AS
15/11/26

2/18
18
287

Suppl
L S 2

N. D. Permanent

N B - Should routine notes be written on small slips
the notes must be copied or slips pasted on this form

For the
revised draft prepared by
Branch IV.

A Bill to further amend
the Mysore Municipal Regn.,
No VII of 1906.

Whereas it is expedient
to further amend the Mysore
Municipal Regulation, No VII
of 1906; His Highness the
Maharaja is pleased to
enact as follows:-

The following shall
be added after sub-section
(b) of section 48 as sub-
section (p), ^{namely:-} ~~the present~~
~~sub-section (b) being changed~~
~~into (p) viz:-~~

"(p) laying down the
conditions subject to which
vacant building sites may
be disposed of

2. The following section
shall be inserted above
section 92 and under the
heading "(2) Powers to regulate
buildings, etc. as section
91A, viz:-

91A (1) It shall be
competent for the Municipal
Council to declare that
any vacant land within

Mysore

for the disposal
of building sites;

for the disposal
of building sites;

for the disposal
of building sites;

Power to declare any
vacant land as fit for
use as a building site and
to compel the owner to, build
upon, or enclose, it.

or where any doubt or uncertainty exists as to the ownership or possession, to call upon all persons interested in such site,

Penalty for non-compliance

(The offence shall be deemed to be a continuing offence but a person shall not be prosecuted more than once in six months in respect of a ^{continuing} default committed in regard to one of the same site

When a defendant
has been committed
in respect of a site,
the notice must
state the reasons
for the commitment.

has been
in respect of a
(*) When the notice issued
under
Site Use enclosed & conserved such
in such manner as may
be proper to remove the
cost of the same

Municipal Limits is for
for use as a building site
and to call upon the
owner, or, if the owner
cannot be ascertained, the
person in possession of
the site, ^{either erect a building} to build upon
it within a period of two
years, or to enclose and
conserve it within a
period of six months.

(2) If the act required to be done by a notice issued under the last sub-section is not done within the period allowed, the ~~offender~~ ^{defaulter} shall, on conviction before a magistrate be liable to a fine not exceeding rupees fifty.

(3) ~~part~~ It shall also be competent to the Municipal Council ~~to~~ ^{to} ~~take permission of~~ ^{enter upon & acquire} the site free from all

encumbrances created by the owner or any person claiming through him, on payment of the market value of the site at the time of the issue of the notice, and to deposit the same for building purposes either by

public auction or
otherwise ~~the~~
owner ~~of the site~~
~~or any other~~

Power to resume
vacant building sites
under certain conditions

~~Any person who~~
~~has taken possession of~~
~~disposed of by the mun.~~
cl.) shall be entitled
to the payment of the
price realized by the
mun. by ^{the} sale and disposal
of the site less any charges
incurred by the mun.
cl. in taking possession &
disposing of the site.

2. to dispose of the same
by ^{public} auction or otherwise
for building purposes, after
giving notice of their
intention to do so by
a ~~notified~~ proclamation
published in the Gazette
not less than one month
prior to the date fixed for
the sale.

Subsection (1), or, at the
time of the acquisition,
whichever may be last.

(3) When the con-
ditions, subject to which
a vacant building site
is sold, are not fulfilled,
it shall be competent
for the Municipal Council
to resume it with any
building existing thereon
after giving the owner
of the site, ~~such~~ or if
the owner cannot be
ascertained, the person
in possession, such
notice as to the Municipal
Council, may ~~even~~ ^{propose}
~~and after paying back~~
~~the price paid for the~~
~~site and the cost of~~
~~the materials used for~~
~~the building, of any, sort.~~

On such resumption the
site, with the building,
if any, thereon, shall
vest in the Municipal
Council free from all
encumbrances created
by the owner or any
person claiming through

that such owner ^{may} ~~shall~~ ^{then} (4). The powers ~~enjoyed~~ ^{exercised} by this section shall be exercised only by such Municipal Councils as may be specially authorised by the Government in this behalf."

shall be entitled to payment of the amount realised by the ~~mun.~~ ^{assumption & disposal} of the ~~property~~ ^{less any} charges incurred ^{in such disposal}.

SA

Before a sale can be held ^{under this section}
(5) ~~It shall be lawful for~~ ^{the} Municipal Council to make, ^{subject to the approval of Govt.}

rules to regulate the procedure ~~regarding~~ ^{to be adopted} in such sales ~~to be held under this section~~ ^{the} the previous sanction of Govt shall be obtained for such rules

A Bill to amend the Mysore
Municipal Regulation VIII of 1906

~~Subsection~~ the ~~first~~ stop at the end of
Sub-section (2) of Section 46 into a
Sec. 46 and add the following
after that Sub-section

posal of
sites

"~~the~~ laying down the conditions sub-
ject to which vacant building sites
may be disposed of

2 Above Sec 92 and under "2) Power to
regulate buildings, etc" add the follow-
ing

" 91A The Government may at any
time confer by Notification on any
Municipal Council designated therein
the undermentioned powers

declare -
any vacant
for building
the owner
or enclose it

(1) Power to declare that any vacant
land is fit for use as a building
site and to call upon the owner of
such site to build upon it within
a period of two years or to enclose
and consume it within a period of
six months

(2) Power to resume any vacant site with any building on it, where the conditions subject to which it is sold are not fulfilled, after paying back the price paid for the site and also the cost of the materials used for the building, if any, on it

Power to resume building sites if conditions of sale not fulfilled

(3) Power to prosecute the owner and ^{also} acquire the site on payment of the market value of the same at the time of ^{the} issue of the Notice or at the time of acquisition, whichever may be less, in the case of any ~~failure to do any~~ ~~in regard to which the~~ ~~act required~~ ~~by sub Sec (1), is not done.~~

Power to prosecute persons not doing the acts required done and to acquire the site

to be done by notice issued under

JMK: 20 mg
16.6.1944

Ull

Statement of objects and reasons

There are many building sites in the Bangalore and Mysore City Municipalities which have been lying vacant for a number of years. Some of these are purchased more for speculation than for building. There is no provision in the Mysore Municipal Regulation to compel the owners to build on the sites. It has been found by experience that some provision is necessary to compel them to do so, or to forfeit them to the Municipal Council after a reasonable time. Hence the necessity for amending the Regulation.

AKS ^{my} ^{will -}
15 6 1911

9/11/1911

A Bill to ^{further} amend the Mysore
Municipal Regulation VII of 1906
Supplement I.

1 ~~Change the full-stop at the~~
end of Sub-section (j) of Section 42⁴⁹
into a semi-colon and ~~write the~~
following after that Sub-section

the disposal of
building sites

(K)

"(K), laying down the conditions
subject to which vacant building
sites may be disposed of"

2 Above Section 92 and under "(2)
Powers to regulate buildings, etc"
~~add~~
insert the following section:-
inserted.

making a vacant
site for building
compelling the
owner to build or enclose

"91 A ~~and~~ It shall be lawful for
the Municipal Council to declare
that any vacant land in the Municipality
is fit for use as a building
site and to call upon the owner of
such site to build upon ~~thereon~~
it within a period of two years
or to enclose and conserve it within

a period of six months

Q. B. Where the Conditions Subject to which a vacant site is sold are not fulfilled or the act required by the Notice given ^{under} the preceding ~~Section~~ is not done, ~~within the period laid down,~~

forfeiture of the site to Municipal

the Municipal Council may forfeit the site with any building which may exist thereon ^{shall} and take possession of ~~the same~~ and dispose of it, free from any claim to compensation by (the grantee or) the owner or any person claiming under him

III

Statement of Objects and Reasons.

There are many building sites in the Bangalore and Mysore (City Municipalities) which have been lying Vacant for a number of years. Some of these are purchased more for speculation than

A bill to further amend
Mysore Municipal Regulation
1908

Whereas it is expedient to
further amend the Mysore
Municipal Regulation, VII of
1908, His Highness the Maharaja
is pleased to enact as follows:-

1 ~~The full stop at the~~
~~end of subsection (f) of section~~
~~41b shall be changed into a~~
~~semicolon and the following~~
~~subsection shall be added after~~
~~present subsection (f) viz:-~~

Sec 48 as ~~present~~ subsection (f), the
present subsection (f) being changed
into (ff)

for the disposal
of building sites

"(ff) laying down the
conditions subject to
vacant building site
be disposed of;

2 The following
shall be inserted
section 52 and in
the heading "(2) of
regulate building
viz -

Declaring a vacant site
fit for building and compelling
the owner to build thereon
etc

" 51-A It shall be
for the Municipal Cohan
to declare that any vacant

within Municipality
is fit for use as a
site and to call upon
owner of such site to build
upon it within a period
of two years or to enclose
and Conserve it within a
period of six months

Forfeiture of building
site to Municipal Council

51 cc C - Section 11
Municipal Council to remove

"§11 Where the Conditions
subject to which a Vacant
site is sold are not ful-
filled or the act required
by the notice given under
the preceding section is not
done, the site with any
building which may exist
thereon shall be forfeited
to the Municipal Council
who may take possession
and dispose of it, free
any claim to Compensation
by the owner or any
claiming under him

— 11

Statement of Objects and
Reasons

It is reported that
are many building sites
in the towns of Bangalore
and Mysore which have
been allowed by the owner

to remain
number of years.
These seem to be
purchased more for specu-
lation than for purposes
building. The majority
such sites are not even
properly conserved or enclosed
by the mounds and in the
interests of sanitation it
is necessary that the Mun-
icipal Councils concerned
should have the power
compel them to build on
the sites within a specified
time on pain of forfeiting
them to the Municipality.
Should they ~~so~~ fail to
do with this object-
present Bill has been
prepared

—
Sd

91 A

(1) It shall be ~~Compulsory~~
for the Municipal Council
to declare that ~~any~~ ^{any} ~~land~~
land within Municipal limits
is fit for use as a building
site and to call upon the owner
or ~~the~~ if the owner can not
be ascertained, the person
in possession of the site to
build upon it ~~fast~~ within
a period of two years or to
enclose and conserve it
within a period of six months

(2) ~~If the owner or the person~~
~~in possession of the site~~
~~fail to do the act~~
required to be done by
a notice issued under the
~~proceeding~~ ^{best} ~~in relation to~~
~~shall be liable, on conviction~~
~~before a Magistrate~~ ^{penalty} ~~to a fine~~
done within
the offender shall
a ~~fine~~ ^{penalty}
~~to a fine~~

the price
site and the cost
materials used
building, if any
on such presumption
site with the building, if any
there, shall vest in the
land Council free
from all encumbrances
created by the owner or
any person claiming
through him

(4) The powers conferred
by this Act shall
be exercised only by such
Municipal Councils
as may be authorized
by the Govt on this behalf

A Sec 48 Sub Sec (p p) —

c₁'s draft = same as

Sec 91 A —

the draft proposed by c₁

may be accepted —

1 It omits "to purchase" but the idea is comprised in "to ensure" which occurs in the draft —

2 It gives no authority to the c to execute works & recover cost —

this may be necessary

Can't it do now
No but Sec 154 cl b
a power to the c to
complete the work
Ans 28
7/5/15

91 B

Resumption after conditions agreed

c₂'s 2nd draft —

Analogue —

get sample order

(1) T Board Reg Sec 25 (12)

(2) Land Rev Rules —
(new amendments)
applicable to
towns

(3) In force in extensions
of Santham pur,
Channarayana
Maddurwaru

Note

The Municipal Acts of British India do not contain a provision for the of unbuilt vacant sites, like the one now proposed. Every Act provides for compelling owners of sites to conserve their sites and makes it penal to disobey an order to that effect.

* play w

The Rules under the Land Rev Code have been^x amended, so as to give power to the Dy Comm (or other person authorised by Govt) to frame subsidiary rules to regulate the period within which^{newly granted} ~~the~~ sites should be built upon and lay down that the breach of any of the conditions so imposed will render the sites liable to resumption. The Bombay Rules^x do not contain a similar provision, as the amendment of the Rules is.

vide N 7 205-10-142
flag Q

as "the authority" by
is the authority
in the Land Act, 1913

Revenue Rules, referred to above,

{ was ordered on the basis of
certain difficulties felt in the
State and not on the provisions
obtaining elsewhere.

Govt may perhaps invest any
Municipality with the powers of
a Dy Commr for the purpose of
these Rules in the case of
sites at the disposal of Govt
But they ~~do~~ can not be made
applicable to the vacant sites
already vested in the Municipal
Councils.

CPN
24-11-13

Note on the procedure in vogue
in the Extensions of the Bangalore City, re the
Conditions subject to which building Sites are granted

W

1) Rule 47 (b) * and Rule 48 ~~authorise~~
of the Mysore Land Revenue Rules
authorise the Dy. Commr or any other
authority empowered by Govt in
that behalf to dispose of the occupancy
of land in towns or other places of
considerable size or increasing importance
subject to the condition that the Dy.
Commr (or other authority empowered by
Govt) may prescribe, with the approval
of Govt, subsidiary rules to regulate
(among other things) the time within
which the construction of the building
should be begun & completed

247

2) The conditions subject to
which sites have been granted in the
Basavangudi & Malleswaram Extensions
and also in the New Extension of the
Bangalore City, are set forth in the
printed Scripts put up herewith. It is
seen that in the case of the Basavangudi
& Malleswaram Extensions, the building
operations have ~~been~~^{to be} started in 30 days
and finished in 6 months and in the
case of the New Extension they have to
be started ^{within} 3 months and completed ^{within}
twelve months. In both the cases, further
to abide by the condition involves
resumption of the site, without any
claim on behalf of the allottee or assignee
for compensation on account of any
expenditure incurred by ~~the~~ him on the site

3) The Mysore City Improvement Trust Board has been authorised by special Legislature (Sec²⁵, (2) of the Mysore City Improvement Trust Board Regn. III of 1903) 'to sell and otherwise convey, with or without any conditions, any moveable or immovable property which may have become vested in or acquired by them'

4) By the Amendment to the Municipal Regn now under consideration, it is proposed to give the Municipal Board power not only to lay down conditions subject to which vacant building sites in the Municipality may be disposed of hereafter but also to call upon owners of vacant sites to conserve them in such manner as may be prescribed, on pain of resumption of ^{the} land. ~~and~~ Further, when there is a great demand for building sites and the land at the disposal of the Municipality is not sufficient to meet the demand, the Municipal Council is proposed to be given the additional power of calling upon the owner to build on the site himself within one year or give up the whole or any portion of the same, on payment of a compensation to be determined in accordance with the provisions of the L & R Regn.

5) Such powers are not ~~enjoyed~~ at present exercised by the Bombay, Calcutta or Madras Municipality. It will perhaps interfere very greatly with vested-interest.

A Bill to further amend the Mysore
Municipal Regulation, 1906.

Preamble.

Whereas it is expedient to further amend the Mysore Municipal Regulation, VII of 1906, His Highness the Maharaja is pleased to enact as follows.-

Addition of a sub-section to section 48.

1. The following shall be added after sub-section (p) of section 48 of the said Regulation as sub-section (pp), namely:-

for the disposal of building sites,

"(pp). laying down the conditions subject to which vacant building sites may be disposed of."

Addition of a new section.

2. The following section shall be inserted above section 92 and under the heading "(2). Powers to regulate buildings &c., " as section 91 A, namely -

Power to declare any vacant land as fit for use as a building site and to compel the owner to build upon or enclose it.

"91 A (1). It shall be competent for the Municipal Council to declare that any vacant land within Municipal limits is fit for use as a building site and to call upon the owner, or, if the owner cannot be ascertained or found, the person in possession of the site, or where any doubt or uncertainty exists as to the ownership or possession, by a notice published in the official gazette, to call upon all persons interested in such site, either to erect a building upon it within a period of two years, or to enclose and conserve it within a period of six months.

Penalty for non-compliance.

(2). If the act required to be done by a notice issued under the last sub-section is not done within the period allowed, the defaulter shall, on conviction before a magistrate,

be liable to a fine not exceeding rupees fifty. The offence shall be deemed to be a continuing offence, but a person shall not be prosecuted more than once in six months in respect of a continuing default committed in regard to one and the same site.

Enclosing and conserving of sites or disposal thereof by municipality in certain cases.

(3). When a default has been committed in respect of a site, it shall also be competent to the Municipal Council when the notice issued under sub-section (1) required the site to be enclosed and conserved, to enclose and conserve such site in such manner as may seem proper to the Municipality and to recover the cost of the same from the owner of the site, or person in possession thereof, or to enter upon and take possession of the site free from all encumbrances created by the owner or any person claiming through him and to dispose of the same for building purposes either by public auction or otherwise. The owner or any person claiming through him shall be entitled to the payment of the price realised by the Municipality by the sale or disposal of the site less any charges incurred by the Municipal Council in taking possession of and disposing of the site.

Resumption of vacant building sites and the disposal of the same by the municipality.

N₂
(1/11)

(4). When the conditions subject to which a vacant building site is sold are not fulfilled, it shall be competent for the municipal Council to resume it with any building existing thereon after giving the owner of the site, or, if the owner cannot be ascertained or found, the person in possession, such notice as to the Municipal ^{Council} may seem proper and to dispose of the same by public auction or otherwise for building purposes,

giving notice of their intention to do so by a proclamation published in the official gazette not less than one month prior to the date fixed for the sale. On such resumption, the site, with the building, if any, thereon shall vest in the Municipal Council free from all engumbrances created by the owner or any person claiming through him subject, however, to the proviso that such owner or any person claiming through him shall be entitled to payment from the Municipality of the amount realised by the municipality by the resumption and disposal of the property less any charges incurred in such resumption and disposal.

Amend to
N₃

(5) The powers conferred by this section shall be exercised only by such municipal Councils as may be specially authorised by the Government in this behalf.

Amend to
N₃

(6) Before a sale can be ^{held} ~~effected~~ under this section, every municipal Council shall make rules to regulate the procedure to be adopted in such sales. The previous sanction of Government shall be obtained for such rules.

--- ----000-----



and reasons

It is reported that there are many building sites in the towns of Bangalore and Mysore, which, in other municipalities, have been allowed by the owners to remain vacant for a number of years. Some of these seem to have been purchased more for speculation than for purposes of building. The majority of such sites are not even properly conserved or enclosed by the owners and in the interests of sanitation it is necessary that the Municipal Councils concerned should have the power to compel the owners to build on or enclose the sites within a specified time. The amendments proposed in the Bill are intended to give effect to this idea.

Non-compliance with a requisition from the

build on or enclose a vacant site renders the offender liable to prosecution. The site may also be by the Municipality on certain conditions.

It is to be noted that the powers conferred by the Bill can be exercised only by such Municipal Councils as may be specially authorised by the Govt in this behalf.

Sd _____

Serial
No1st Councillor's draft.

— A bill to further amend the Mysore Municipal
Regulation, VII of 1906

His Highness the Maharaja is pleased to
enact as follows -

(I) The following shall be added after a
section (p) of section 48 of the said regulation as
subsection (np), namely -

(pp) laying down the conditions subject
to which vacant building sites may be disposed of."

(II) The following Section shall be inserted
above section 92 and under the heading "2 Powers to
regulate buildings&c," as section 91 A, namely -

91 A (1) Whenever a person has been convicted
of an offence under Sections 129 and 131 (1) in
respect of a vacant land within the limits of a
municipality or whenever such land is in an insanitary
condition as described in either of the subsections
and the owner or occupier cannot be discovered, the
Municipal Council may declare by a notice served on
the owner or occupier, or published in such manner
as may be prescribed, that such vacant land will
~~be resumed~~ unless duly conserved in such manner as
may be prescribed by rules and may after the lapse of
six months from the date of service or publication
resume such land

(2) Vacant lands thus resumed under the
going subsection by the Municipality may be
disposed of in accordance with the rules for disposal

Serial
No

within the Municipality and the amount realised as price of such land less any expenses incurred by Municipality shall be payable to the owner

(3) When there is no immediate demand for such sites, or if they remain undisposed of for six months after resumption, the owner shall be entitled to be paid the value of the site determined in such manner as may be prescribed, less the cost incurred by the Municipality, provided that when the site has been acquired from the Municipality or from Government within twelve years of its resumption, the compensation to be paid shall not exceed the price levied from the owner

9/13 (1) ~~4~~ Whenever in the opinion of a Municipal Council there is demand for building sites and the vacant land at the disposal of the Municipality for such purpose is not sufficient, the Municipal Council may call upon the owner of vacant sites, with or not appurtenant to buildings, to give up either whole or any portion of such vacant sites on payment of compensation

Provided that no person shall be deprived of a vacant site if he agrees to construct a building thereupon in accordance with the general conditions laid down by the council within a period of one year or without leaving as much of vacant land as required to a building as may be required for it in accordance with a scale to be prescribed by Municipal Council

(2) ~~4~~ The compensation to be granted for acquisition shall be determined in accordance with

in sheet

R S 12]

General and Revenue
Secretariat

File No

of 191

Serial
No

the provisions of Land Acquisition regulation and
the rules thereunder

Alternative section to ^{91B}~~4 and 5~~

Land required for building sites or other
similar purpose within the limits of a Municipality
may be acquired under the provisions of the Land
Acquisition regulation

[Query whether this cannot be done and is
not being done at present without a provision like
the proposed one]

1/5/13



41 Land required for
the purpose of the
Regulation is required

Contn sheet

7) The powers conferred
 Sub-Section (2)
 shall be exercised
 by such Municipal
 Councils as may
 be specially author-
 ized by the Govern-
 ment in this behalf.

the proviso that
 a owner or any
 son claiming through
 shall be entitled
 payment from the
 ial funds of the
 unit realized by
 the Municipal
 real by the re-
 option and
 loral of the property
 any charges
 red for such
 option and
 real

When the term
 reserved for building
 agreed to by the parties
 re-builder of a building
 is exceeded, in the
 case of such reason
 may be considered
 of factory by the
 Municipal Council
 shall be competent
 the Municipal
 will to resume the
 forth any building
 being thereon after
 by the owner x x

Massachusetts

The provisions of
 the Subsection appear
 to be too stringent
 and may be modified
 by limiting such action
 against non fulfillment
 of Sanitary Conditions
 only

x
 branches, exceptions
 of any, in favor
 of eminent created
 owner or any for
 having through
 subject however
 to

1. Jy. Gov. Bangalore Dist. (Dr B J Kumaraswami Reddy)
 The Subee might be unnecessary and may be omitted as Sec 13 (1) of already provides punishment for not keeping the site in a proper state and it would be a serious thing if non compliance of the notice to build upon the site within a prescribed period is made punishable in a Criminal Court.

2. Hassan M.L.C.

The Subee is essential provided that sanction of the Municipal Council be made necessary in each case for institution of prosecution before magistrate.

Contd from page 2 3

to build at all.

(iv) What is the exact meaning of "Conserve" the dictionary meaning is hardly precise enough. I think the M.L.C. should first make up its mind whether to insist on building or merely on conserving and issue notice accordingly. The further proceedings should be separately provided for in each case.

I do not think that the Municipal Council should acquire or reacquire any site unless there is demand for them for building upon. There is nothing gained by transferring vacant bits from one owner to another even speculating for profit is not a sin, if the speculator pays a fair price for what he acquires. I have redrafted the provisions

(Sd) (col 3) (Sd) H. V. N.

Opinions on the Secretariat Bill

5. Δ Curve
Wave

It will be a case of hard ship on the poor subalterns owning vacant building sites, who are unable on account of pecuniary difficulties, to build upon further a specified time. The proposed Ordinance contemplates that if an owner of a vacant building site fails to build upon his site may be resumed by Municipal Council. This affords scope to any capitalist, prevail upon and induce the owner to part with his site inasmuch as he is unable to comply with the requirements of the Municipality to build upon his site. Thus the poor is likely to be deprived of his site when he intends to build upon when he receives permit. Sec 131 of the Regulations requires that every owner or occupier of any building or land should, clear or otherwise put the same in a proper state but it does not compel the owner to build upon the site so long as the owner of the vacant site keeps the same in a proper or sanitary condition and the tax on the said vacant site at the rate of 2 as for every 100 sq yds is levied from him as a sort of fee for not building upon the same, it seems to be unfair to empower the Municipal Council to resume the site if not built upon within 2 years. Further, it does not seem to be just to empower Municipal Councils to resume now vacant building sites, who were granted many years ago without imposing any conditions, though it is desirable and necessary for the Govt to empower to authorize individual M.C. to resume by law the framers of vacant sites to be disposed of hereafter to build. Within a specified period, a non compliance of which entails a resumption of the site and disposal of the same by the M.C.

6 Bangalore City Municipal Council

"The Council would suggest that it be made known that building should be commenced in 6 months from date of notice and completed in 2 years"

1. The Draft Bill is prepared under the orders of the Officer in Charge Mr C S Balakrishnan Iyer

The punishment of two years appears to be too long and it may be reduced to one year.

(1) It shall be left for the Municipal Council to declare that any land within the limits may be declared by the Municipal Council as unfit for building site.

2. The Municipal Council Sec 91(4) does not clearly state that vacant land within the limits may be declared by the Municipal Council as unfit for building purposes, and as such does not enable the Municipal Council to compel the owners of such sites to enclose and conserve the sites in the interest of sanitation, the words 'or not' may be inserted after the words 'is fit for use as a building site'.

3. Hassan M.C.

Subsec (1) of sec 91A to be made applicable also to sites which are not fit for building site so far as the notice to enclose & conserve such sites within a period of six months is concerned. (Mr P. R. V. Hetherall)

I concur in the opinion expressed in the resolution of the Hassan Municipal Council and do not support the suggestion of the District Municipal Council.

1. The Draft Bill is prepared under the orders of the Officer in Charge Mr C S Balakrishnan Iyer

2. An Amendment of the M.C. Regn on the lines proposed is invited for and undesirable (For reasons please see para 36 of the notes on pages 12-14) (Sd) J. R. S

3. I entirely agree with the views expressed by the Secretary (Sd) D. Durayappan

4. The Bill as drafted reads with my approval. There can be no two opinions as to the urgent necessity for this Amendment of the Regulation. (Sd) M. K.

I think the following points should be made clear in the Draft.

(1) Cl 2. Is the notice to be in the alternative to erect in 2 yrs, or to conserve in 6 months in every case, or is it to be one of the two according to the M.C. discretion?

If the alternative notice is given that is the draft effect? If he consents in 6 months, he need not erect

Same as the
material draft

General
1. The draft bill was
prepared under the orders of
the offg Secretary Mr. S. R.
Sundaram Iyer

2. The Amendment of the
Act Regn on the lines proposed
is uncalled for and undesirable

At K. R. Sundaram Iyer
For reasons please see para
36 of the Rls. on page 12-147

3. I entirely agree with
the view expressed by the
Secretary

(Sd) T. Jeyaraj Iyer

4. The Bill as drafted
meets with my approval
There can be no two opinions
as to the urgent necessity
for this Amendment of
the Regulation.

(Sd). M. K.

to further amend the
Mysore Municipal
Regulation VII of 1906.
His Highness the Mra.
haraja is pleased to
enact as follows -

1 The following shall
be added after Sub.
Section (p) of Section
of the said Regulation
as sub-section (pp),
namely, -

"(pp) laying down
the conditions only
to which vacant building
sites may be disposed
of."

Same as
the Secretariat
draft

Same as 2nd
Secretariat 2

2. The following section shall be inserted above section 77 and under the heading "(2) Powers to regulate building etc as section 91A, namely -

"91A (1) It shall be competent for the Municipal Council to declare that any vacant land within Municipal limits is fit for use as a building site and to call upon the owner, or, if the owner cannot be ascertained or found, the person in possession of the site, or where any doubt or uncertainty exists as to the ownership or possession, by a notice published in the Official Gazette, to call upon all persons interested in such site, either to erect a building upon it within a period of two years, or to enclose ~~it~~ ^{and if} can serve it within a period of six months

(2)

91A (1) It shall
x x

x x
Site to erect and complete a building within a period fixed by the Municipal Council, not exceeding two years: Provided however that in cases in which the Municipal Council may deem fit and proper the Municipal Council may issue a notice as aforesaid requiring the site to be enclosed and covered within a period of 3 months or such further period as may be allowed by the Municipal Council

(2)

(2) If the act required to be done by a notice issued under the last sub section is not done within the period allowed, the defaulter shall, on conviction before a Magistrate be liable to a fine not exceeding ~~Rs~~ rupees fifty. He shall be deemed to be a continuing default but a person shall not be prosecuted more than once in six months in respect of a continuing default committed to one and the same site

(3)

(3) When a default has been committed in respect of a site, it shall also be competent to the Municipal Council when the notice issued under sub-section (1) required the site to be enclosed and conserved, to enter such site in such manner as may seem proper to the Municipality and to recover the cost of the same from the owner of the site, or person in possession thereof, or to enter upon and to take possession of the site free from all encumbrances created by the owner or any person claiming through him and to dispose of the same for building purposes either by public auction or otherwise. The owner or any person claiming through him shall be entitled to the payment of the price realized by the Municipality by the sale or disposal of the site less any charges incurred by the Municipal Council in taking possession and disposing of the site.

(2) When the notice issued under sub-section (1) requiring the person to be enclosed and conserved, to enter such site in such manner as may seem proper to the Municipality and to recover the cost of the same from the owner of the site, or person in possession thereof, or to enter upon and to take possession of the site free from all encumbrances created by the owner or any person claiming through him and to dispose of the same for building purposes either by public auction or otherwise. The owner or any person claiming through him shall be entitled to the payment of the price realized by the Municipality by the sale or disposal of the site less any charges incurred by the Municipal Council in taking possession and disposing of the site.

(2) When the notice issued under sub-section (1) requiring the person to be enclosed and conserved, to enter such site in such manner as may seem proper to the Municipality and to recover the cost of the same from the owner of the site, or person in possession thereof, or to enter upon and to take possession of the site free from all encumbrances created by the owner or any person claiming through him and to dispose of the same for building purposes either by public auction or otherwise. The owner or any person claiming through him shall be entitled to the payment of the price realized by the Municipality by the sale or disposal of the site less any charges incurred by the Municipal Council in taking possession and disposing of the site.

(2) Vacant lands resumed under foregoing sub-section by the Municipality may be disposed in accordance

the rules for disposal
of lands within the
Municipality and
the amount payable
as the price of such
land less any expense
incurred by the
Municipality. It shall
be payable to the
owner.

(3) When there is a
reasonable demand
for such sites, or
they remain pending
for six months
after resumption,
owner shall be entitled
to be paid the value
the site determines
in such manner
may be prescribed
less the cost incurred
by the Municipality
provided that when
the site has been
acquired from the
Municipality or
Government within
twelve years of
resumption the
compensation to be paid
shall not exceed
the price levied of
the owner.

(4) When the Conditions (3)

Subject to which a vacant building site is sold are not fulfilled, it shall be competent for the Municipal Council to resume it with any building existing thereon after giving notice of the site, or, if the owner cannot be ascertained or found, the person in possession, such notice as to the Municipal Council may seem proper, and to dispose of the same by public auction or otherwise for building purposes after giving notice of their intention to do so by a proclamation published in the Official Gazette not less than one month prior to the date fixed for the sale. On such resumption, the site, with the building, if any, thereon shall vest in the Municipal Council free from all encumbrances created by the owner or any person claiming through him shall be entitled to payment from the Municipality of the amount

Same as
the Secretariat
Draft 2 (4)

Headsed

by the same
capacity by the, resumer
and disposal of the property
less any changes in
in such resumption and
disposal

(5) The powers conferred
by this Section shall
be exercised only by
Irish Municipal Councils
as may be specially au-
thorised by the Government
in this behalf

(4)

Same as the
Section 2(5)

(6)

(6) Before a sale can (5)
be held under this
Section, every
Council shall
rules to regulate the
procedure to be
in such cases sales the
previous sanction of
Government shall be
obtained for such rules.

Same as the
Secretariat
draft 2(6)

By B(1) The opinion of the Municipal Council is demand for build Sites and the Vacant land at the disposal of the Municipality for such purpose is not sufficient, Municipal Council may call upon one of Vacant Sites whether or not appears to building, to fence either the whole or any portion of the Vacant Sites or receipt of Coupon

Provided that person shall be de of a Vacant Site of agrees to construct building thereon accordance with General Conditions down by the Council within a period of year, or without leaving as much Vacant land offers tenant to a builder as may be require for it in accordance with a scale to prescribed by

by Municipalities
(27)

(2) The Com for or
to be granted for
such acquisition
be determined in
accordance with the
provisions of Land
Acquisition Regu-
tion and the rules
under.

Alternative Section
to 91B

Lands require
for building Sew-
or other similar
purposes within the
limits of a Mun-
pality may be acq-
under the provision
the Land Acquisi-
Regulation.

AMC
29.9.915

Comparative Statement

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record]

24205
To Mr. W. J. W.
26th Dec 1910
Mysore
B. S. Bala Sundaram Esq.
Secretary to the Govt.
of Mysore Gen & Rev Dept
Bangalore
Sir,
The Municipal Regulation
is, I hear being revised. I beg
permission to make a suggestion
There are many vacant sites
purchased by people these sites
have been kept unbuilt for
for 20 years and more Some
people purchase sites more
for speculation than for building
Some provision should be
made to compel people either
to build or to forfeit it to the
Municipality after a reasonable
time. The Regulation contains
No

N.B.—Should routine notes be written on small
slips; the notes must be copied, or slips
pasted on this form.

Diary No of letter replied to 4206

No

General and Revenue Secretariat
(Mumt)
, the 19

To

In Venkata Krishnaiah
Municipal Council
Mysore

Date of issue

Signed by

Sir,

I am directed
 to acknowledge the receipt
 of your letter of the 24th Dec
 suggesting the ~~insertion~~
 that ^{be made} ~~of a~~ provision in the Mysore
 Municipal Regulation
 compelling owners of ^{vacant} ~~land~~
 sites to build ^{thereon} or for
 them to the Municipality

over

SUBJECT

reasonable time

I have etc

will

for 9/9/2014
9/11/2014

List of enclosures,

Copied by

Examined by

Diary No of letter replied to 4206
1910-11

Smt

SECRET

General and Revenue Secretariat

(*Misc*)
 , the 1 191

To

1. The Dy Commr of
2. The Presidents of
 Bangalore and Mys
 City Muni Comm

Date of issue 26 12 12Signed by M. S. P. R.

Sir, It has come to the
 of the Government
 understand that
 are many building
 in the Cities of Bangalore
 and Mysore and in
 Municipalities, which
 been allowed by the

SUBJECT

Handwritten signature/initials

nam vacant for a
of years and that
city of such sites
even enclosed & properly conserved

owners. In these
then Govt and
halikes have to
large expenditure
age and water
it is essential that
should rise on
land intended
ed for house

Under the
Municipal Law,
Municipal Councils
the power to
the owners to
or enclose the
in a specified
can they resume
the owners
to do and

The interests of sanitation
require that Probably
many some of these sites are
allowed to be vacant for
speculative purposes.
The interest of sanitation
require that the M.C. Council
should have power to
Compel owners of these
such sites to keep them
or build on them or
conserve them properly.

List of enclosures,

Copied by

Examined by

G.R.S 27]

GENERAL AND REVENUE
SECRETARIAT

(Continuation sheet draft form)

I am directed to forward
a copy of the bill

and allot them
fide house build^g
2 With a view
these defects a
further amending
Mysore Municipal
lation has been dra
in the Secretariat.
together with the St
ment of objects and
sons I am directed
~~forward to you~~
your opinion as to is
an amendment
Municipal law
proposed lines is
for and desirable
am to request. The
opinion may be
brought out later
the 15th January 1912
I have e



W. M. S.

J. M. S. 80

29 " 1912





Office of the Deputy
Kadur District

Ch. K. Nagaraj
Dated 28th December
—————

From

The Deputy Commissioner
Kadur District

To

The Secretary to Government of Mysore
General & Revenue Departments
Bangalore

Sir

With reference to your letter ^{by 4}₂₂
dated 26th December 1912, calling for my ^{op}
regarding the proposed amendment of
Municipal Regulation as regards the ^{dis}
of vacant building sites, I have the
to state that the proposed amendment
very necessary

I have the honor to

Sir

your most obedient Se

^{earnest trust}
For Deputy Com

W 11/13 1912
From

The Deputy Commissioner
Jodhpur District

To The Secretary to Govern-
ment of Mysore
General & Revenue Dept.

Dated 30 Bangalore - Mysore
7/2/12

Despatched 2. 1. 1913.

Received

General No. 256
No

Enclosure No

Stating the proposed
amendment to the Municipal
Regulation as regards the
disposal of vacant building
sites is very necessary—

W 6/1 1906 1012

From

The Deputy Commissioner
Chital Drug District

To

The Secretary,
Genl & Res Dept
Bangalore

Dated

Despatched 4th Jan 1906

Received

General No 277
No

Enclosure No

Expressing the
regarding the
-ments on some
of the Mysore M
1906

From the Deputy Commissioner,
Chitaldrug District.
Chitaldrug, 5th January 1913.
4

K. R. & Co.
P. M. Quirio,
Deputy Commissioner,
Chitaldrug.

K. R. & Co.
P. M. Quirio Esquire M. A.,
Joint Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

With reference to your letter No. 4521-30/M1.237-10-14
of December 1912, regarding a draft bill containing the proposed
amendments on some of the sections of the Mysore Municipal
Act of 1906 and calling for an expression of opinion as to
whether amendments are desirable, I have the honor to state that
I am in support of the proposed amendment.

As opined in the 1st of your letter under reference,
it is in the interest of sanitation that the vacant building
on the municipal sites should be enclosed and properly conserved,
and buildings erected on them and the municipal councils
should have power to compel the owners thereof to build on
the sites within a specified time. At present many sites are
left idle with a view to speculation.

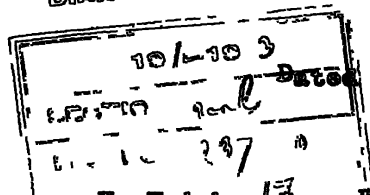
With regard to the limitation of two years prescribed
in Section 11 A (1) I do not submit that the same appears to be
it may with advantage be reduced to one year.

The provisions of the draft bill appear to be sound

277 —

13766

DIARY



Office of the Deputy Commissioner,

Chitaldrug District.

Date: Chitaldrug, 3rd January 1913.

4

K. Krishna Iyer Esquire,

Officiating Deputy Commissioner,

Chitaldrug.

K. R. Srinivasalingar Esquire M. A.,

Officiating Secretary to the Government of

His Highness the Maharaja of Mysore,

General and Revenue Departments,

Bangalore.

With reference to your letter No. 4521-50/Ml.237-10-14 December 1912, forwarding a draft bill containing the proposed amendments on some of the sections of the Mysore Municipal Act of 1903 and calling for an expression of opinion as to whether such amendments are desirable, I have the honor to state that I am in support of the proposed amendment.

As opined in para 1 of your letter under reference, it is in the interests of sanitation that the vacant building sites of the municipalities should be enclosed and properly conserved and buildings erected on them and the municipal councils should have power to compel the owners thereof to build on these sites within a specified time. At present many sites are lying idle with a view to speculation.

With regard to the limitation of two years prescribed in Section 91 A (1) I beg to submit that the same appears to be too long and it may with advantage be reduced to one year.

The provisions of the draft bill appear to be sound.

41 35-2
10/12-10/13
237-11
18
rcm
Office of the Deputy Commissioner
Mysore District
Dated, Mysore, 7th January 1913
K Chandy, Esquire, B A ,
Deputy Commissioner
Mysore District

To

A R Srinivasalingar, Esquire, M A ,
Secretary to Government of Mysore
General and Revenue Departments

Sir,

With reference to your letter No 4521-20/M/237-10-14 dated 26-12-12 calling for my opinion regarding the prompt disposal of vacant sites in Municipal towns, I have the honor to state that the power contemplated to be conferred upon Municipal Councils and the consequent amendment of the Municipal ----- Regulation on the proposed lines are necessary

I have the honor to be,

Sir,

Your most obedient servant

K Chandy

Deputy Commissioner
K Chandy Mysore District

Y G S

W
From The Deputy Commissioner
Mysore District
21/11/1913

To The Secretary to the Government
of Mysore
Genl & Rev Secy to
Bangalore

Dated January 29/13

Despatched

Received

General No 352
No

Enclosure No.

Submits opinion re prompt
disposal of vacant sites
in Municipal towns.

Office of the Deputy Commissioner,
Kolar District.
Dated Kolar, 9th January 1913.

From

P F Powring Esquire ,
Offr Deputy Commissioner,
Kolar District

DIARY No 3966

To,

K I Srinivasanagar Esquire , M A
Offr Secretary to the Government
His Highness the Maharaja of Mysore,
General and Revenue Departments

19/1 1913
SECTION 146
FILE NO 237-10
17

Sir,

With reference to your letter No 4521-30/ML 237-10-14 dated 26th December 1912, forwarding for my opinion, a copy of the bill to further amend the Mysore Municipal Regulation so as to empower Municipal Councils to call upon owners of building sites to build or enclose the sites within a specified time, I have the honor to state that it is ^avery desirable amendment to the Regulation and will be of great assistance in carrying on the work of nicely laying out the extensions of various municipalities especially that of Kolar, where the Railway is now coming in. As matters stand now, many most desirable building sites lie vacant and overgrown with weeds as the owners have no intention of building.

2 The amendment may also be added to the Kolar Gold fields Sanitary Board Rules, as there are several such sites in the rising township of Robertsoorpet.

I have the honor to be,

Sir,

Your most obedient servant,

P F Powring
Deputy Commissioner,

Kolar.

18/3
From P. P. Bowring Esquire.,

Offg. Deputy Commissioner,

Kolar District.

To
K. R. Srinivasan Esquire, M.A.
Secretary to the Government
of H.H. the Maharaja of
Mysore, Gen & Rev Depts.
Bangalore.

Dated 9th

Despatched 14th

Received

General No. 520
No.

Enclosure No.

Submitting opinion in the
matter of further amending the
Mysore Municipal Regulation VII
1906.

No 99

THE CITY MUNICIPAL OFFICE,
Dated 10 14th JANUARY 1911

From 4010
DIARY No. 1007

K.Chandy, Esq., D.A.,
President, City Municipal
Council, Mysore

1012-1013
SECTION <i>ml</i>
FILE No. <i>To 237-10</i>
SERIAL No. <i>20</i>

K.R.Srinivasa Iyengar, Esq., D.A.

Secretary to the Govt of Mysore,
General & Revenue Dept.

Sir,

I have the honour to acknowledge receipt of your letter No.4521-30/M1.237-10-14 dated 26th ultimo, forwarding for my opinion a Bill to further amend the Mysore Municipal Regulation No.VII of 1906 with a view to compel the owners of vacant sites to build on or enclose the same in order to prevent the resumption of such vacant sites in certain cases. I have to state in reply that an amendment of the Municipal Law in the lines proposed, is absolutely necessary in the interest of the better sanitation of the City.

2. It may not be out of place if I should add, that Mr.M.C.Rangaiengar was long ago requested on behalf of the Municipality to propose in the Mysore Legislative Council an amendment to our Municipal Regulation similar to the one published in No.R.6695--L.R.482-11-1 dated 15th 1912.

I have the honour to be,

S i r,

Your most obedient servant,

W
K. Krishna Rao

For President.

14/1/13
1913.

From

The President, City Muni
Council, Mysore.

To

The Secy to Govt. of Mysore,
Gen and Rev Depts

Dated

Despatched

} 14th January 1913

Received

General No 99

No.

Enclosure No.

Stating that any amendment
of the Municipal Law on the lines
proposed, in the matter of compelling
the owners of vacant sites to build
on or to enclose the same, is absolutely
necessary in the interests of the better
sanitation of the city.

Office of the
President of the Municipalities,
Tumkur District,

Dated Tumkur, 10th January 1913.

DIARY No

4011

From

C S Balasundaram Iyer Esqr , B A.,
President of the Municipalities,
Tumkur District

19/1 1913
SECTION 1
FILE NO 237-10
SERIAL 21

To,

K.R Sreenivasa Iyengar Esqr , M A ,
Offg Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore.

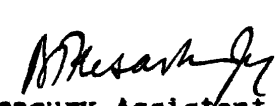
Sir,

Adverting to your letter No 4521-30/VI 237-10-14 dated the 26th December 1912 requiring my opinion on the Draft bill to further amend the Mysore Municipal Regulation with a view to confer on Municipal Councils power to compel owners of vacant building sites to on them or enclose and conserve them, I have the honor to state that the bill is a very necessary piece of legislation in the interests of the better sanitation of the Towns. I fully approve of the draft bill.

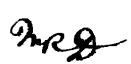
I have the honor to

Sir,

Your most obedient


Treasury Assistant C
For P R E S I D
Absent from the Stat

TBM.



W
From

1912/13

The Deputy Commissioner
and President of the Municipalities,
Mysore District

To
The Secretary to ^{the} Government
General and Revenue
Department, Bangalore

Dated 10th }
Despatched 15th } January 1913

Received

General No. 299
No

Enclosure No

Approving of the
Draft Bill to further
amend the ^{Mysore} Municipal
Regulation with a view
to confer on municipal
councils power of
compelling owners of
vacant sites to build
on them or enclose or
conserve them

74
From

191

From P. H. W. Wothorpe
President of Municipalities
Masean District.

To
K. R. Sreenivasa Iengar Esq M. L. A.
Offg. Secretary to the Govt. of
H. H. the Maharaja of Mysore
General and Revenue Department
Bangalore.

Dated 16th January 1912

Despatched *7/2* — *Do* —

Received

General No *260*
No 8.

Enclosure No. Two.

Subject.

*submitting opinion as to
necessity of a bill for
amending the Mysore Mun-
icipalities in the matter
resumption and disposal
of vacant buildings
by the Municipal Cor-*

DIARY

1912-13

19/12/13

SECTION

MEMO

237-60

22

Office of the President of Ml. Bds,
Hassan District.

Dated Hassan 16th January 1913

W. Wetherfall Esquire,
Agent of Municipalities,
Hassan District

Chivasa Ienagr Esquire M.A.
Secretary to the Govt. of
Maharaja of Mysore,
Revenue Departments,
Mysore.

In reference to your letter No. 4521-30/Ml 237-10-14

dated 19th December 1912 calling for expression of my opinion
on the necessity of a Bill for further amending the Mysore
Regulation in the matter of resumption of vacant --
sites and the disposal of the same by the Municipal
I have the honour to state that since the amend-
ment proposed relates to vacant sites in Municipalities,
the meeting of the Hassan Town Municipal Council was ---
held with a view to ascertain the opinions of the Official
members in the matter

On this subject was placed before the Hassan Town
Council at a special meeting held on the 10th ----
day, after prolonged discussion and consideration,
a resolution to the effect that this Council are of
opinion that provided sanction of the Municipal Council be
necessary in each case for institution of prosecution
under section 118, sub section (2) concerning penalty for
obstruction is essential.

Yours
rther

sub Section (1) of the same Section 91 A be made applicable also to sites which are not fit for building sites so far as the notice to enclose ~~the~~ and conserve such --- sites within a period of six months is concerned But the provisions of Sub Section (4) appear too stringent and may be modified by limiting such action against non-fulfilment of sanitary conditions only

A copy of the resolution is herewith submitted for reference

4 The resolution of the Hole-Narsipur Municipal Council was also called for on the subject, copy of which is also herewith submitted

5 I concur in the opinions expressed in the resolution of the Hassan Municipal Council, and do not support the --- resolution of the Hole-Narsipur Municipal Council

I have the honour to be,

Sir,

Your most obedient servant,

W. Wetherall

President of Municipalities,

Hassan District.

S.R.I

M. K.

Proceedings of a special meeting of the Hassan Town
Municipal Council held on 10th January 1913

Present.
P R W Wetherall Esquire, President
Ex-Officio Members.

Mr	A Puttasamaya B.A	Executive Engineer
"	M Sreenivasa Murti	Vice President
"	V S Rajagopala Char	Amildar, Hassan Taluk

Non-Official Members

Mr	Mohamad Raza	Retd Asst Commissioner
"	Muddappa	Retd Asst Conservator of Forests
"	Khadirsaib	Merchant
"	Dodda Payanna	Sahukar
"	Sreecantapnashetty	-do-
"	K Mahadavappa	-do-
"	Krishana Shatti	Merchant
"	B Alasingra Char	Contractor
"	Dharnappa	Rtd Shroff
"	S Ramanna	Pleader
"	M I Narasimha Char	-do-

I Read General and Revenue Secretary's letter No. 4521
10-14 dated 26th December 1912 calling for opinion as to
necessity of a bill for further amending the Mysore Munic
Regulation, in the matter of resumption of vacant buildi
sites and the disposal of the same by the Municipal Cor
etc

Resolution - Resolved after due discussion and consider
-tion that this Council are of opinion that provided se
-tion of the Municipal Council be made necessary in e
case for institution of prosecution before a magistra
Sub Section (2) concerning penalty for non-compliance
essential

Further resolved that it appears quite necessary th
Sub Section (1) of the same section 91A be made appli
also to sites which are not fit for building sites a
as the notice to enclose and conserve such sites wi
a period of six months is concerned But the provisio
Sub Section (4) appear too stringent, and may be modifi
limiting such action against non-fulfilment of, sanita
conditions only

Sd P R W Wetherall
President, Hassan Munl Co

" C o p y "

P R W Wetherall

" *Done* "

Proceedings of the meeting of the Municipal Council
Municipal Council held on 11th January 1915, at 8 A.M.

X X X
(4) Read President's order No. 573 dated 7th January 1915 forwarding for a resolution of the Municipal Council, the correspondence relating to the Bill to further amend the Mysore Municipal Regulation 1906 in regard to vacant sites in Municipalities.

Resolution - This Council is of opinion that an amendment of the Municipal law on the proposed lines is necessary and desirable but as section 91 (A) (1) does not clearly state that vacant land ~~within~~ within Municipal limits may be declared by the Municipal Council as unfit for building purposes, and as such does not enable the Municipal Council to compel the owners of such sites to enclose and conserve the sites in the interest of sanitation, the words "or not" may be inserted after the words "is fit for as a building site".

X X X
Sd. R. Tirunavarma Iengar
Vice President.

" C o p y "



President of Municipalities,

S.R.I. Hassan District.



From

The Secy to Commissioner
Bangalore &

To

The Secretary to the
Government of
Mysore

Dated

Despatched

Received

General No

No

Enclosure No

Forwarded herewith
is a draft bill am
the Municipal Regulation
of Mysore in the matter
empowering municipal
to compel the owners
building sites, to build
or to enclose within a
time

Office of the Deputy Commissioner, -

Bangalore District

Dated Bangalore, 8th February 1913

DIARY

4637

B.J.Kumaraswami Naik Esq., B A ,

Deputy Commissioner, Bangalore District.

R Sreenivasa Iyengar Esq , M A ,

Offg Secretary to the Government of His Highness

the Maharaja of Mysore, Genl and Rev Depts

10/2/13
SECTION: <i>ml</i>
FILE No 237-11
SERIAL No 26

th reference to your letter No4521-30/ML 237-10-14 dated
ember 1912, forwarding for my opinion, a draft bill --
g the Mysore Municipal Regulation in the matter of em-
the Municipal Councils to compel the owners of vacant
g sites, to ^ubuild upon or to enclose within a specified
have the honor to state as follows -

sub-section proposed to be added to section 48 of the
municipal Regulation VII of 1906, seems to be necessary
horizes the Municipal Councils to make, alter or res-
aws prescribing the conditions subject to which vacant
sites may be disposed of.

gards the addition of a new section above section 92
the heading "(2) Powers to regulate buildings etc " it
rved that it will be a case of hardship on the part
bitants owning vacant building sites who are unable
or pecuniary difficulties, to build upon within a --
time. The proposed section contemplates that if an
vacant building site ^{fails to build upon} his site may be resumed by the
ty. This affords scope to ^{any} capitalist to prevail upon
the owner to part with his site on account of his in-
comply with the requirements of the Municipality to
his site. Thus peer owner is likely to be

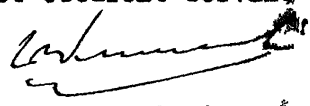
builder of any building or land to cleanse, clear or otherwise put the same in a proper state, but it does not compel the owner to build upon the site so long as the owner of the vacant site keeps the same in a -- proper and sanitary condition and the tax on the said vacant site at the rate of 2 annas for every 80 sq yds is levied from him as a sort of penalty for not building upon the same, it seems to be unfair to empower the -- municipality to resume the site if not built upon within two years. Further, it does not seem to be justifiable to empower Municipal councils to resume now, vacant-building sites which were granted many years ago without imposing any such conditions, though it is desirable and necessary for the Government to take power to authorize individual Municipal councils to frame bye-laws requiring the grantees of vacant sites to be disposed of hereafter to build upon within a specified period, a non-compliance of which entailing a resumption of the site and disposal of the same by the Municipality -

3. The proposed clause (2) under section 91 A regarding "penalty for compliance" is unnecessary and may be omitted as section 131(1) already provides punishment for not keeping the site in a proper state, and it would be something if non-compliance of the notice to build upon the site within a prescribed period is made punishable. ~~Certainly~~

I have the honor to be

Sir,

Yours most obedient servant,


Deputy Commissioner

101
From The CHIEF, MUNICIPAL OFFICE
BANGALORE CITY

To The Secretary to the
Government of Mysore
General and Revenue Department
Bangalore

Dated 28th February 1913

Despatched

Received

General No 197
No

Enclosure No 1

Submitting for information
a copy of the Council's resolution
of 22-2-13 approving of the
proposal to amend the Town
Regulation by adding a new
section to section 48 prescribes
the conditions for the disposal
of the vacant building &c.

Office of the President, Municipal Council,
Bangalore City, dated 28th February 1913

73

From

544
- 1/219/3 K P Puttanna Chetty Esquire,
Honorary President, Municipal Council,
Bangalore City.
- No 227-10
To 'AL' No 27

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

Sir,

With reference to your letter No.4521-30/ML.237-10-
dated the 26th December 1912, forwarding a bill for further
amending the Municipal Regulation by adding a Sub-Section (to
Section 48 prescribing conditions for the disposal of v
building sites, and calling for opinion thereon, I have the
honor to state that the subject was placed before the Council
their meeting held on the 22nd Instant, and the Resolution
the Council was to the effect that such an amendment as t
proposed by Government was very necessary and suggesting a
alteration under Section 91 A (1), Viz, that it should be
compulsory that buildings should be commenced in six mont
the date of notice and completed in two years

2 Considering that the Extensions in the City con
large number of vacant sites which are kept unbuilt by t
owners for purposes of speculation and allowed to remain
insanitary condition to the danger of the residents in
neighbourhood, the amendment is urgently called for and
prove very useful, if passed into a law as early as pos
The Council have therefore unanimously approved of the
bill

3 A copy of the Council's Resolution is herewit
submitted.

I have the honor to
Sir,
Your most obedient

**EXTRACT FROM THE PROCEEDINGS OF THE
BANGALORE CITY MUNICIPAL COUNCIL
AT AN ORDINARY MEETING
HELD ON THE 2nd February 1913.**

Present

Deva Bahadur, Raja Ganga Khanna,
K.P. Puttanna Chetty Esq., President.

S.A. Karoji Sen Esq., Vice President.

The Architect, Bangalore Town.

Mrs. D.A. Rao,

" K.P. Ramanna, A.A.,

" D.B. Ramachandra Mudaliar,

" S. Rajappa,

" U. Chinnaswami Chetty,

" S.T. Subba Rao,

" H.K. Veerabhaswamy, B.A., B.L.,

Mr. D. Adappa

" S. Siddaveerappa

" S.V. Ramaswami Chetty, Esq.

" B. Venkaiah,

" U. Subbiah, B.A.,

" B. Abdul Rehman, B.A.,

" H. Ramappa

" B. Ramappa,

" S. Ramachandraswami B.A.,

" D. Venkatarangappa, B.A.,

" S. Venkatarangaswami,

A B S E N T .

The Executive Engineer, Bangalore Division,

The British Officer,

B. K. Sarada Chari, Esq.,

2. General and Revenue Secretary's letter No.4521-30.M1
237-10-14 dated the 26th December 1912, forwarding for the opi-
nion of the Council copy of a bill for further amending the
Mysore Municipal Regulation ^{as} Sub Section (p-p) of Section 4
prescribing conditions for the disposal of vacant building at
Resolution:- The Council are of opinion that such an amendme

as the one proposed is very necessary as there
a large number of vacant sites in the Extension
which are kept unbuilt by speculators in the h
of site values rising enormously in course of

The Council would suggest that it be made o-
sory that building should be commenced in 6 m

" COPY "

from date of notice and completed in 2 years

[Signature]
For President.

Sd. K.P. Puttanna Chet
President.

160

1915

1915

From

The Pres. & Dist.
District Board.

S. H. S. S.

To

The Secretary to the Govt.
of Mysore & Gen. & Res. B. S.
Bangalore.

Dated 9th April 13

Despatched 11th

Received

General No
No.

179

Enclosure No.

one

With reference to

letter no 4521-30 of 26th Dec
1912

Calling for the opinion on
the draft bill re amendment
of certain sections of the
Regulation submitted the extra
from the Council's resolution
for information

179/Ex/ 6678 of the President District Board
Shimoga
Shimoga 9th April 1913
11/13

DIARY
10/12-13
SEC-10 K. R. Srinivasa Rao Esq.,
237-60 President, District Board,
28 Shimoga

K. R. Srinivasa Iyengar Esq. M.A.,
G.O.S. Secretary to the Government
of Mysore, General and Revenue
Department Bangalore

With reference to your letter No. 6521-30/
237-10-N, dated 26th December 1912, calling for
opinion on the draft bill regarding the amend-
ment of certain sections of the Municipal Regulation

of 1906, I have the honor to state that the
bill was placed before the meeting of the
Municipal Council held on the 29th March

19 The Council approved of the amendment
and resolved that the bill may be passed

Extract

Extract from the Council resolution
herein submitted for information

I have the honor to be
Sir

Your most obedient servant

G. Hamman
For President, District Board
Shenandoah

See

Me 237-10/14

Proceedings of an ordinary meeting of the S.L.C.

Town Municipal Council held on the 29th March 1911

Present
Official members

- 1 Mr G Hanumantha Rao Vice President,
- 2 V R Niygal Executive Engineer,
- 3 J V Karim District Sanitary Officer,
- 4 M S Hargrave Rao, Auditor

Non official members

- 5 Mr S R Balakrishna Rao, Advocate
- 6 Abdul Khareem Khan
- 7 B Gaudachar, Advocate,
- 8 Belagur Venkanna, Merchant
- 9 P Venkappayya
- 10 S Seetaramayya, Advocate,
- 11 C R Volentine
- 12 Rev d Father Paulnas
- 13 A E Nightingale,
- 14 Mr A Shamanna
- 15 G Chandappa
- 16 B Bheema Rao
- 17 K R Subba Rao

Absent

Official members

- 18 Mr K Srinivasa Rao Pres

X

X

X

(17) Read General and Revenue Secre
No 4521-30/Me 237-10-14 dated 2

#2

forwarding copy of the bill together with
the statement of objects and reasons
regarding the amendment of Muncie
Law on the Vacant building sites

Resolved that the Law may
passed

x

x

x

x

Sd G Hanumantha

Vice Pres

"copy"

G

For President

du

5

No

1248
1248

TE 12/1

From

711 (64-14-10) 237-10-31

Office of the Deputy Commissioner
Mysore District

R²
5/4/15
JKM
Mysore, dated 25th February 1915

A. Subramanya Iyer, Esq, B.A.,
Deputy Commissioner
Mysore District

To

D M Narasinga Rao, Esq, B.A, B.L.,
Offg Secretary to the Government
of Mysore
General and Revenue Departments

Sir,

I have the honor to submit herewith letter No.141 dated 18/20th February 1915 received from the President of the -- Mysore City Municipal Council submitting a bill to further amend the Municipal Regulation for compelling the owners of vacant sites to build on or enclose the same within a specified time

I have the honor to be

Sir

Your most obedient servant

Deputy Commissioner

Mysore District.

RS

cto- 'ml 2 5 / 10 31

No 44

THE CITY MUNICIPAL OFFICE, MYSORE

Dated 18th February 191

From

T G Lukshma a Rao, Esquire , L C E

President, City Municipal Council,
Mysore

To

D M Narasinga Rao, Esquire , B A , B.L ,

Secretary to the Govt of Mysore
General & Revenue Department

"Through the Deputy Commissioner, Mysore District,
Mysore "

Sir,

X

With reference to your letter No 4521-30/M1 237-

14, dated 26th December 1913, I have the honour to state that
bill to further amend the Municipal Regulation for compelling
owners to build on or enclose their sites in the City within
a specified time, having been placed before the Municipal
Council in their meeting held on 16th January 1915, it was
resolved that the draft amendments with modifications be
and recommended to the Government for sanction

2 A copy of the amendments proposed is enclosed
with As these amendments are found necessary, I request
to be so good as to place them before Government and obtain
their kind sanction A copy of the resolution referred
also enclosed for reference

I have the honour to be,

Sir,

Your most obedient servant,

T. G. Lukshma

President

Vice President

no 998

11-1-13

(8220)

1915

From

The President, City Muni
Council, Mysore

To

The Secy to Govt of Mysore,
Gen. & Rev Depts

Thru,

The Deputy Commissioner

Dated 15th

Despatched 20th } February 1915

Received

General No 14/
No

Enclosure No 740

Forwarding for orders a bill to
further amend the Municipal
Regulation for compelling the
owners of vacant sites to build on
or enclose the same within a specified
time

22
23.2.15-
S. K. S.
73/4/15

Vol. 11 - 237 - 31

Proceedings of the eleventh (Ordinary) meeting of
the Municipal Councillors for the City of Mysore held in the
Bangachari Memorial Hall at 8 A.M. on Saturday the 20th
January 1915.

~~XXXXXXXXXXXXXXXXXXXX~~

PRESENT.

1. T.G.Lakshmana Rao, Esq., L.C.M., President.
2. G.Narayana Rao, Esq., B.A., B.L., Vice-President.
3. Dr. Mahamed Usman, District Medical Officer, in-charge of
the Health Office.
4. R.V.Sundram Iyer, Esq., B.A., B.C.M., Executive Engineer,
Mysore Division, Mysore.
5. Rao Bahadur M.C.Rangaswamy, Esq., B.A.,
6. Anbil Anniah Pandit, Esq.,
7. M.Venkatakrishnaiah, Esq.,
8. Narasimhaswamy, Esq.,
9. A.Gubhanna, Esq.,
10. Madappa, Esq.,
11. Mahomed Jaffer Sahab, Esq.,
12. Sotharamiah, Esq.,
13. Ramiah, Esq.,
14. M.Anantharajiah, Esq.,
15. V.Thiruvengadam Moodliyan, Esq.,

ABSENT.

1. Amildar, Mysore Taluk.
2. N.Sotwaji Rao, Esq.,
3. Subagirdar Madappa, Esq.,
4. N.Sreenivasiah, Esq.,
5. Revl. H.Gulliford.

~~XXXXXXXXXXXX~~

XIII Measures to be adopted for compelling owners of
vacant sites in the City to construct buildings thereon to avoid
nuisance therefrom to neighbours.

Resolved that the draft amendments with modifica-
tions be passed and recommended to the Government for sanction.

X

X

X

Sd/- T Lakshmana Rao,
President

"Copy"

T. Lakshmana Rao

President.

M H V

[Signature]

A Bill to further amend the Mysore
Municipal Regulation, 1906

Preamble

Whereas it is expedient - to
further amend the Mysore Municipal
Regulation, VII of 1906, His Highness
the Maharaja is pleased to enact
follows -

Addition of a sub
section to Section 48

1 The following shall be
added after sub-section (p)
Section 48 of the said Regulation
as sub-section (pp), namely
"(pp) laying down the conditions
subject to which vacant building
sites may be disposed of,"

Addition of a new
section

2 The following section shall
be inserted above section 92 as
under the heading "(2) Power
to regulate buildings etc.,
Section 91 A, namely -

Power to declare
any vacant land
as fit for use as a
building site

" 91 A (1) It shall be the duty
of the Municipal Council
to declare that any vacant
land within the Municipal

the building, if any, ~~there~~
shall vest in the Municipal
Council free from all encum-
brances created by the owner
or any person claiming ~~the~~
him Subject, however, to the
proofs that such owner or
any person claiming ~~him~~
him shall be entitled to pay
from Municipal funds of
amount realized by the
Municipal Council by the
resumption and disposal
the property less any ~~cost~~
incurred ^{for} ~~the~~ such resump-
and disposal

Power under sub
Sec (2) to be conferred
on M.C. by Govt

(3) The powers conferred
~~Sub-section (2)~~ shall be ~~exercised~~
only by such Municipal
Councils as may be specially
authorized by the Govern-
ment in this behalf

Rules for Sale of Sites
resumed to be framed
by M.C. and sanctioned
by Govt

(4) Before a sale can
be held under this Section,